

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

MIGUEL GONZALEZ-VALENCIA,

Petitioner,

v.

Case No. 19-C-1686

SHERIFF DALE J. SCHMIDT,

Respondent.

ORDER

Petitioner Miguel Gonzalez-Valencia, who is a noncitizen and currently detained at Dodge Detention Center, filed an emergency petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 on November 14, 2019. Gonzalez-Valencia requested that the court issue an emergency writ of habeas corpus to temporarily release him so he can have emergency gallbladder surgery at his own expense. The court held a telephone conference on November 20, 2019, to discuss the petition. For the reasons set forth on the record, Gonzalez-Valencia's petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 is **DENIED**.

THEREFORE, IT IS ORDERED that this petition is summarily dismissed pursuant to Rule 4 of the Rules Governing § 2254 Cases. The Clerk is directed to enter judgment dismissing the case.

A certificate of appealability will be **DENIED**. I do not believe that reasonable jurists would believe that the petitioner has made a substantial showing of the denial of a constitutional right in his application for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241. *See Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

The petitioner is advised that the judgment entered by the Clerk is final. A dissatisfied party may appeal this court's decision to the Court of Appeals for the Seventh Circuit by filing in this court a notice of appeal within 30 days of the entry of judgment. *See* Fed. R. App. P. 3, 4. In the event the petitioner decides to appeal, he should also request that the court of appeals issue a certificate of appealability.

SO ORDERED at Green Bay, Wisconsin, this 20th day of November, 2019.

s/ William C. Griesbach

William C. Griesbach, District Judge
United States District Court